File No.GAD01-LO0ACTS(PDAA)/70/2022-SC-I
GO RT/1673/2022/GAD01-General Administration

Draft for approval
GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PREVENTIVE DETENTION - The Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No: 1 of 1986) – Order of Detention made by the Collector and District Magistrate, Prakasam District, Ongole, against Sri Avula Gopal, S/o Late Venkata Swamy, Aged 31 years, Venkatapuram village, Giddalur Mandal, Prakasam District - Representton Examined –Orders – Issued.

GENERAL ADMINISTRATION (SC.I) DEPARTMENT

G.O.Rt.No 2307 Dated: 01.11.2022 ~~.10.~~2022

Read the following:-

1. From the Collector and District Magistrate, Prakasam District, Ongole, Proceedings No. C1/328986/2022, Dt:19.05.2022.
2. G.O.Rt.No.984, G.A.(SC.I) Dept., dated 27.05.2022.
3. G.O.Rt.No:1556, GA(SC.I) Dept., Dt:01.08.2022.
4. Representation Dt:19.09.2022 from Smt. Avula Nagamma, W/o. Balaiah, (Aunty of Detenue, Avula Gopal)
5. Memo No.1737182/**GAD01-LOOACTS (PDAA)/70/2022-SC.I/A3,** Dt:26.09.2022 .
6. From the Collector & District Magistrate, Prakasam District, Ongole letter No: MAGL-1/25/2022, Dt: .10.2022 received through mail on 17.10.2022.

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ORDER:

In the reference first read above, the Collector and District Magistrate, Prakasam District, Ongole, has passed detention order against Sri Avula Gopal, S/o Late Venkata Swamy, Aged 31 years, Venkatapuram village, Giddalur Mandal, Prakasam District, Andhra Pradesh State, under section 3 (1) & (2) read with Section 2(b) of the Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986). After following due procedure, Government had approved and confirmed the detention order in the reference 2nd & 3rd read above.

2. In the reference 4th read above, Smt. Avula Nagamma, W/o Balaiah (Aunty of Detenue, Avula Gopal) had made a representation to the Government and requested to set-aside the detention Order passed against her Sister's son, Avula Gopal. In

the reference 5th read above, the remarks have been called for from the Collector and District Magistrate, Prakasam District, Ongole, on each contention raised by the petitioner.

3. In the reference 6th cited, the Collector and District Magistrate, Prakasam District, Ongole has submitted that the detention of Sri Avula Gopal, S/o Late Venkata Swamy, Aged 31 years, Venkatapuram village, Giddalur Mandal, Prakasam District, Andhra Pradesh State, was strictly according to the provisions of PD Act and the representation *of* the petitioner, i.e., Smt. Avula Nagamma, W/o Balaiah (Aunty of Detenue, Avula Gopal) against the detention order, has no merits and no truth in the contents of the petitioner and the detention of the detenue is essential for maintenance of public order.

4. Government have examined the representation of Smt. Avula Nagamma, W/o Balaiah (Aunty of Detenue, Avula Gopal) and the report of the Collector & District Magistrate, Prakasam District, Ongole under the provisions of the APPD Act, 1986. It is observed that the Detenue has committed five criminal offences in the past 2 years in contravention of the A.P. Prohibition Act,1955 and A.P.Excise Act, 1968 and this itself is showcasing the habitual nature of the Detenue in committing the crime, and acting against the Law of the State. The Act 1/1986 provides power to preventive detention of an individual to contain his activities which are prejudicial to the maintenance of public order under the following circumstances: (a) "acting in any manner prejudicial to the maintenance of public order" means when a boot-legger, a dacoit, a drug offender, a goonda, an immoral traffic offender, or a land-grabber is engaged or is making preparations for engaging in any of his activities as such, which affect adversely or are likely to affect adversely, the maintenance of public order. For the purpose of this clause public order shall be deemed to have been affected adversely, or shall be deemed likely to be affected adversely inter alia, if any of the activities of any of the persons referred to in this clause directly, or indirectly, is causing or calculated to cause any harm, danger or alarm or a feeling of insecurity among the general public or any section thereof or a grave or widespread danger to life or public health. Further, the Applicant has availed the opportunity and represented before the Advisory Board on Preventive Detentions to put her argument/case before the Board.

2307.

5. Government therefore, and after careful examination of the matter hereby dispose the representation of the petitioner, i.e., Smt. Avula Nagamma, W/o Balaiah (Aunty of Detenue, Avula Gopal) as rejected.

NAGAMANI VUSARTHI,
JS(NV), JOINT SECRETARY TO GOVERNMENT (LAW& ORDER WING)-GAD01

To
Smt. Avula Nagamma, W/o Balaiah, R/o D.No.10-85,Mundlapadu Village,
Krishnam Settipalli Mandal, Prakasam District.
The Collector and District Magistrate, Prakasam District, Ongole.

Copy to:
The Superintendent of Police, Prakasam District, Ongole
The Spl. Govt. Pleader, attached to Learned Advocate General, A.P High court,
High Court buildings, Nelapadu, Guntur Dist, A.P.

Sf/Sc.

2/11/2022

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PREVENTIVE DETENTION - The Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No: 1 of 1986) – Order of Detention made by the Collector and District Magistrate, Prakasam District, Ongole, against Sri Avula Gopal, S/o Late Venkata Swamy, Aged 31 years, Venkatapuram village, Giddalur Mandal, Prakasam District – Representation Examined –Orders – Issued.

GENERAL ADMINISTRATION (SC.I) DEPARTMENT

G.O.Rt.No.2307 Dated: 01.11.2022

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O R D E R:

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(P.T.O.)

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5. Government therefore, and after careful examination of the matter hereby dispose the representation of the petitioner, i.e., Smt. Avula Nagamma, W/o Balaiah (Aunty of Detenue, Avula Gopal) as rejected.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR.SAMEER SHARMA
CHIEF SECRETARY TO GOVERNMENT

To
Smt. Avula Nagamma, W/o Balaiah, R/o D.No.10-85,Mundlapadu Village,
Krishnam Settipalli Mandal, Prakasam District.
The Collector and District Magistrate, Prakasam District, Ongole.
Copy to:
The Superintendent of Police, Prakasam District, Ongole
The Spl. Govt. Pleader, attached to Learned Advocate General, A.P High court,
High Court buildings, Nelapadu, Guntur Dist, A.P.
SF/SC.

//FORWARDED::BY ORDER//

Section Officer (SC)